



February 25, 2013  
Via ECFS Filing

Ms. Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, Suite TW-A325  
Washington, DC 20554

RE: Americatel Corporation  
EB Docket No. 06-36; CY2012

Dear Ms. Dortch:

Attached for filing is the Calendar Year 2012 CPNI Compliance Certification and Statement of CPNI Procedures and Compliance as required by 47 C.F.R. Section 64.2009 (e) submitted on behalf of the Americatel Corporation.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3001 or via email to [tforte@tminc.com](mailto:tforte@tminc.com). Thank you for your assistance in this matter.

Sincerely,

/s/Thomas M. Forte  
Thomas M. Forte  
Consultant to Americatel Corporation

cc: Aurora Ares - AmericaTel  
file: AmericaTel - FCC - Other  
tms: FCx1301

Enclosures  
TF/mp

**ANNUAL 47 C.F.R. § 64.2009(e) OFFICER'S CERTIFICATION OF  
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI) COMPLIANCE**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2013:      Covering calendar year 2012

Name of company(s) covered by this certification:      AmericaTel Corporation

Form 499 Filer ID:      826210

Name of signatory:      Mike Simpson

Title of signatory:      CFO

1.      I, Mike Simpson, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. §64.2001 *et seq.*
2.      Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in §64.2001 *et seq.* of the Commission's rules.
3.      The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.
4.      The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.
5.      The company represents and warrants that the above certification is consistent with 47 C.F.R. §1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

  
\_\_\_\_\_  
Mike Simpson  
CFO

02/08/2013  
\_\_\_\_\_  
Date

Attachments:      Accompanying Statement explaining CPNI procedures

**Attachment A**  
**Statement of CPNI Procedures and Compliance**

**AMERICATEL CORPORATION**  
**STATEMENT OF CPNI PROCEDURES AND COMPLIANCE**

**USE OF CPNI**

When AmericaTel Corporation d/b/a 1010 123 Americatel also d/b/a 10-15-688 Ametex also d/b/a Startec d/b/a Zero 11 Wireless ("AmericaTel" or "Company") uses or permits access to CPNI to market any telecommunications or non-telecommunications services, it does so only in compliance with the rules set forth in 47 CFR Subpart U. AmericaTel has trained its personnel not to use CPNI for marketing purposes in violation of such rules. Americatel uses operational procedures to ensure that notification is provided and customer approval is obtained before CPNI is used or disclosed, when required by law.

**PROTECTION OF CPNI**

AmericaTel has instituted training procedures and a corresponding disciplinary process to ensure that its personnel understand and comply with restrictions regarding the use and disclosure of, and access to, CPNI. Requests for CPNI by law enforcement agencies are only granted if a subpoena is provided or if the customer provides written permission.

**DISCLOSURE OF CALL DETAIL OVER PHONE**

The Company does not disclose CPNI over the telephone in response to a customer-initiated telephone inquiry, unless the customer can provide the call detail information that is the subject of the inquiry without the assistance of a customer service representative. If it elects to do so in the future, it will follow the applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information or account information and customer notification of account changes.

**DISCLOSURE OF CALL DETAIL ONLINE**

When the Company discloses CPNI on-line, it does so in compliance with applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information or account information and customer notification of account changes.

**AMERICATEL CORPORATION**  
**STATEMENT OF CPNI PROCEDURES AND COMPLIANCE**  
**(Continued)**

**DISCLOSURE OF CPNI AT RETAIL LOCATIONS**

AmericaTel does not have any retail locations and therefore does not disclose CPNI in-store.

**NOTIFICATION TO LAW ENFORCEMENT**

The Company has procedures in place to notify law enforcement in the event of a breach of customers' CPNI and to ensure that the affected customers are not notified of the breach before the time period set forth in the FCC's rules, or, if applicable, when so authorized by law enforcement. Specifically, as soon as practicable, and in no case later than seven business days upon learning of a breach, the company will notify the U.S. Secret Service and the FBI by electronic means, as required by FCC regulations. The company will not notify customers or disclose a breach to the public until seven full business days have passed after notification to the U.S. Secret Service and the FBI, unless it believes there is an extraordinarily urgent need to notify customers before seven days in order to avoid immediate and irreparable harm. In that instance, it will only notify such customers *after* consultation with the relevant investigating agency and will cooperate with the agency's request to minimize any adverse effects of the customer notification.. If the Company receives no response from law enforcement after the seventh full business day, it will promptly proceed to inform the customers whose CPNI was disclosed of the breach. The company will delay notification to customers or the public if requested to do so by the U.S. Secret Service or FBI. Notifications to law enforcement and customers are handled by a designated supervisor level employee responsible for managing the company's CPNI compliance.

The Company has not had any breaches of its customers' CPNI during the past year, but does have processes in place to ensure that it maintains electronic records of any breaches that are discovered and of notifications made to the U.S. Secret Service and the FBI, as well as to customers, for a period of at least two years. Information regarding any breaches and notifications will be maintained by a designated supervisor level employee responsible for managing the company's CPNI compliance.

**AMERICATEL CORPORATION**  
**STATEMENT OF CPNI PROCEDURES AND COMPLIANCE**  
**(Continued)**

**ACTIONS AGAINST DATA BROKERS**

The Company has not taken any actions against data brokers in the last year. AmericaTel has processes in place to safeguard the call detail information from improper use or disclosure by employees; and to discover and protect against attempts by third parties to gain unauthorized access to these records. All call detail is stored in a database that is protected; only authorized AmericaTel personnel have access to the database. It is not accessible by anyone outside the company.

**CUSTOMER COMPLAINTS ABOUT CPNI BREACHES**

The Company did not receive any customer complaints about the unauthorized release of CPNI or the unauthorized disclosure of CPNI in calendar year 2012.

**INFORMATION ABOUT PRETEXTERS**

The Company has not developed any information with respect to the processes pretexters are using to attempt to access CPNI, but does take steps to protect CPNI from pretexters as described in this statement.